# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

MONSANTO COMPANY and MONSANTO TECHNOLOGY LLC,

Plaintiffs,

Case No. 4:09-cv-00686 (ERW)

VS.

E.I. DUPONT DE NEMOURS AND COMPANY and PIONEER HI-BRED INTERNATIONAL, INC.,

Defendants.

# DEFENDANTS' MOTION FOR ORAL ARGUMENT

Pursuant to E.D. Mo. Local Rule 4.02(B), Defendants E.I. du Pont de Nemours and Company ("DuPont") and Pioneer Hi-Bred International, Inc. ("Pioneer") respectfully request the Court to set the following motions for oral argument:

- 1. Defendants' Motion to Compel a Finding of Waiver Related to the Filing of U.S. Patent No. RE39,247 (Dkt. # 613)
- 2. Monsanto's Fifth Motion to Compel (Dkt. # 638)

Defendants request oral argument on these motions due to the importance of the issues raised therein relating to the attorney-client privilege and because they believe oral argument on these motions will assist the Court in resolving these issues.

Dated: May 5, 2011 Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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